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The current French, German and Dutch Law of Contract each offer a remedy of specific performance to creditors suffering from breach of contract. This book analyses the alterations to this remedy during the nineteenth century on the substantive, procedural and enforcement levels. Fascinatingly, there is a link between changes to the remedy and the development of early human rights and the mass industrialisation of society. The latter had the effect of actually converging the national remedies of specific performance in the examined systems: damages and rescission became more accessible as remedies at the cost of specific performance. The book demonstrates the interdependency between law and society and provides vital background information to the harmonisation of a controversial concept in the European Law of Obligations.

JANWILLEM OOSTERHUIS, PhD (2011) in Law, VU University Amsterdam, is Lecturer in Legal History at Maastricht University. He has published previously on the history of the law of obligations, for example *Industrialization and Specific Performance in the German Territories during the 19th Century* (Intersentia, 2010).



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Janwillem Oosterhuis
Specific Performance in German, French and Dutch Law in the Nineteenth Century

NIJHOFF

Specific Performance in German, French and Dutch Law in the Nineteenth Century *Remedies in an Age of Fundamental Rights and Industrialisation*



By
Janwillem Oosterhuis

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